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Clerk US District Court District of Nevada			
By:			Deputy

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 **Drew J. Ribar,**
4 Plaintiff,

5 v.

6 **State of Nevada ex rel. Nevada Department of Corrections; Carson City; Sheriff Kenneth**
7 **Furlong**, in his official and individual capacities; **Deputy Jason Bueno**, in his official and
8 individual capacities; **Deputy Sean Palamar**, in his individual capacity; **Sgt. Robert Smith**, in
9 his individual capacity; **Sgt. Fernandeis Frazier**, in his individual capacity; **Sgt. TJ Boggan**, in
10 his official and individual capacities; **District Attorney Jason Woodbury**, in his official
11 capacity; and **DOES 1-10**,
12 Defendants.

13 **Case No. 3:24-cv-00103-ART-CLB**

14 **FIRST AMENDED COMPLAINT**

15 [JURY TRIAL DEMANDED]

16 **INTRODUCTION**

17 Plaintiff **Drew J. Ribar**, a Nevada resident and owner of **A&A Towing, Inc.**, brings this action
18 under **42 U.S.C. § 1983**, **42 U.S.C. § 1985(3)**, and supplemental state law (**28 U.S.C. § 1367**)
19 against Defendants for a pattern of unconstitutional **retaliation, censorship, conspiracy, and**
20 **excessive force** from **August 30, 2022 to March 20, 2025**, targeting his First Amendment press
21 activities as *Audit Reno 911*.
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PLEADING TITLE - I

1 Defendants arrested Plaintiff, subjected him to **hotboxing**, towed his vehicle, maliciously
2 prosecuted him, censored **11,653 social media comments** (including **55** tied to Plaintiff in
3 2024), blocked his online account, and detained him for recording in a public lobby, violating the
4 **First, Fourth, Fifth, and Fourteenth Amendments**, and **Nevada Constitution Art. 1, §§ 1, 6,**
5 **8, 9, and 18.**
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7
8 Plaintiff seeks **declaratory, injunctive, compensatory, punitive**, and other relief under
9 **Exhibits A–P** and further relief as the Court deems just.
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11 12 JURISDICTION AND VENUE 13

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15 • **Jurisdiction:** This Court has jurisdiction under **28 U.S.C. § 1331** (federal questions) and
16 **§ 1367** (state law claims).
- 17 • **Venue:** Proper under **28 U.S.C. § 1391(b)(2)**, as all events occurred in **Carson City,**
18 **Nevada**, within this judicial district.
19

20 21 PARTIES 22

- 23
24 • **Plaintiff Drew J. Ribar** resides at 3480 Pershing Ln, Washoe Valley, NV 89704, and
25 operates A&A Towing, Inc.
- 26
27 • **State of Nevada ex rel. NDOC** is a state agency that oversees Northern Nevada
28 Correctional Center (NNCC).

- 1 • **Carson City** is a municipal corporation liable under **Monell v. Dept. of Soc. Servs.**, 436
2 **U.S. 658 (1978)**.
- 3 • **Sheriff Kenneth Furlong**, sued in his **official and individual capacities**, oversees
4 **CCSO**.
- 5 • **Deputy Jason Bueno**, sued in his **official and individual capacities**, arrested and
6 hotboxed Plaintiff.
- 7 • **Deputy Sean Palamar**, sued in his **individual capacity**, ordered the retaliatory tow.
- 8 • **Sgt. Robert Smith**, sued in his **individual capacity**, enforced unlawful orders.
- 9 • **Sgt. Fernandeis Frazier**, sued in his **individual capacity**, supervised the unlawful
10 arrest.
- 11 • **Sgt. TJ Boggan**, sued in his **official and individual capacities**, detained Plaintiff using
12 Marsy's Law signage.
- 13 • **District Attorney Jason Woodbury**, sued in his **official capacity**, ignored direct
14 censorship notice.
- 15 • **DOES 1–10**: Unknown CCSO or Carson City agents to be identified through discovery.
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20 **FACTUAL ALLEGATIONS**

21 **August 30, 2022 Incident**

- 22 • Plaintiff filmed from a **public road** near **NNCC** with **no visible "No Trespassing" signs**
23 (Exhibit A, 01:00:47; 01:07:15.541).

- 1 • NDOC staff falsely claimed the area was private and summoned CCSO (Exhibit A,
2 01:03:27).
- 3 • **Sgt. Smith** stated Plaintiff's **shirt color** made him a "threat" (Exhibit A, 01:14:44.541).
- 4 • Plaintiff's truck was boxed in (Exhibit A, 01:07:36).
- 5 • **Deputy Bueno** arrested Plaintiff (Exhibit C, 01:20:22) and **hotboxed him in a 95°F**
6 **patrol car** with closed windows (Exhibit C, 01:25:00 onward).
- 7 • **Deputy Palamar** ordered the **unlawful tow** of Plaintiff's vehicle (Exhibit E), violating
8 due process and costing \$315.50 (Exhibit B).
- 9 • CCSO threatened **Plaintiff's business contract rotation** with NDOT (Exhibit E,
10 0:01:20).
- 11 • Mismatch between declared and cited charges (Exhibits F and H, EX019).
- 12 • Case was ultimately dismissed without trial (Exhibit K).

16 **Social Media Censorship**

- 17 • **Carson City** deleted **11,653 social media comments** over ten years, including **55 in**
18 **January 2024** tied to Plaintiff's arrest video (Exhibit N; Exhibit L, 1/18–1/24/2024).
- 19 • Plaintiff's page, *Audit Reno 911*, was **blocked from city-run pages** (Exhibit L, EX030).
- 20 • On **January 19, 2024**, Plaintiff emailed **Sheriff Furlong and DA Woodbury** warning
21 that CCSO's conduct violated **First Amendment** precedents including *Garnier* (Exhibit
22 M).
- 23 • Despite notice, CCSO **continued deleting comments and blocking users** (Exhibit N,
24 1/22–1/23/2024).

- Plaintiff's request under the **Nevada Public Records Act (NPRA)** confirmed the volume of deletions (Exhibit O, EX033–EX036).

March 20, 2025 Incident

- Plaintiff entered the **CCSO public lobby** to serve legal papers and filmed the encounter (Exhibit P, 01:04:31).
- **Sgt. Boggan** detained Plaintiff (Exhibit P, 01:00:03.583), citing a **sign referencing Marsy's Law** to prohibit recording (Exhibit P, 01:06:02.166).
- No victim was present, and Plaintiff cited **Nevada Constitution Art. 1, § 9** (Exhibit P, 01:09:08.333) protecting press freedom.
- Plaintiff challenged the recording ban as a **prior restraint** (Exhibit P, 01:09:49.208), referencing *Packingham v. North Carolina*, 582 U.S. 98 (2017), and *Mack v. Williams*, 522 P.3d 897 (Nev. 2022).
- **Federal case law** protects public recording (e.g., *Glik v. Cunniffe*, *Fordyce v. Seattle*), and **Marsy's Law does not supersede press rights** in public spaces.

CAUSES OF ACTION

Count I – First Amendment Retaliation (42 U.S.C. § 1983) – All Defendants

Defendants violated Plaintiff's **clearly established right** to record public officials (*Glik v. Cunniffe*, 655 F.3d 78; *Fordyce v. Seattle*, 55 F.3d 436), and to speak freely on government

1 social media (*O'Connor-Ratcliff v. Garnier*, 144 S. Ct. 717 (2024); *Knight First Amendment Inst.*
2 *v. Trump*, 928 F.3d 226).

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4 **Count II – Fourth Amendment Seizures (42 U.S.C. § 1983) – Bueno, Palamar,**
5 **Smith, Frazier, Boggan**
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7 Plaintiff was arrested without probable cause, detained, and had his vehicle towed, violating
8 *Devenpeck v. Alford*, 543 U.S. 146 (2004).
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10 **Count III – Fourteenth Amendment Excessive Force (42 U.S.C. § 1983) – Bueno**
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12 Plaintiff was **hotboxed** in a patrol car during summer heat (Exhibit C, 01:25:00 onward), an
13 objectively unreasonable condition under *Kingsley v. Hendrickson*, 576 U.S. 389 (2015), and
14 *Bell v. Wolfish*, 441 U.S. 520 (1979).
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16 **Count IV – Fourteenth Amendment Due Process (42 U.S.C. § 1983) – All**
17

18 **Defendants**
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20 Defendants denied **procedural due process** in the arrest, tow, and prosecution (Exhibits F, G, H)
21 and engaged in **substantive due process violations** through threats, censorship, and retaliation
22 (*Mathews v. Eldridge*, 424 U.S. 319; *County of Sacramento v. Lewis*, 523 U.S. 833).
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24 **Count V – Monell Liability (42 U.S.C. § 1983) – Carson City, Furlong,**
25 **Woodbury**
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1 A decade-long custom of censorship (Exhibit N), failure to act after notice (Exhibit M), and
2 city-wide blocking (Exhibit L, EX030) establish municipal liability under *Monell*, 436 U.S. 658.

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4 **Count VI – Conspiracy to Violate Civil Rights (42 U.S.C. §§ 1983 & 1985(3)) –**
5 **Bueno, Palamar, Smith, Frazier**
6

7 Defendants acted in concert to retaliate against Plaintiff for protected activity, coordinating arrest
8 and towing (Exhibit A, 01:07:36; Exhibit E), satisfying *Snell v. Tunnell*, 920 F.2d 673 (10th Cir.
9 1990).

10
11 **Count VII – State Law Claims (28 U.S.C. § 1367)**
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- 14 • **False Imprisonment (NRS 200.460):** Bueno, Smith, Frazier, Boggan detained Plaintiff
15 without legal justification (Exhibits C, P).
 - 16 • **Oppression Under Color of Law (NRS 197.200):** All Defendants knowingly abused
17 legal authority (Exhibits A, N, P).
 - 18 • **Intentional Interference with Prospective Economic Advantage:** CCSO's retaliation
19 harmed Plaintiff's towing business (Exhibits E, G ¶ 4, N).
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23 **RELIEF REQUESTED**
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25 Plaintiff requests:
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- **Declaratory Relief:** Declare Defendants' actions unconstitutional, including the **Marsy's Law sign**, and censorship/blocking of public forums.
- **Injunctive Relief:** Enjoin Defendants from detaining individuals for recording in public spaces and censoring social media speech.
- **Compensatory Damages:** All economic and emotional losses, including towing fees, lost revenue, business disruption, and reputational harm.
- **Punitive Damages:** For Defendants' willful, malicious, and reckless misconduct.
- **Nominal Damages:** For established constitutional violations where monetary harm may not be quantifiable.
- **Costs and Fees:** All litigation and filing costs, and attorney's fees under **42 U.S.C. § 1988**, if retained.
- **Further Relief:** Any additional legal or equitable relief the Court deems proper.

JURY DEMAND

Plaintiff demands a trial by jury on all triable claims.

CERTIFICATION UNDER RULE 11

1 I, Drew J. Ribar, certify under **Fed. R. Civ. P. 11** that this complaint is presented in good faith,
2 not for improper purpose, and the factual allegations have evidentiary support in **Exhibits A–P**,
3 filed herewith or available upon request.
4

5 **Dated: March 28, 2025**

6 **/s/ Drew J. Ribar**

7 **Drew J. Ribar, Pro Se**

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9 3480 Pershing Ln, Washoe Valley, NV 89704

10 Tel: (775) 223-7899

11 Email: Const2Audit@gmail.com
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